Remarks

Claims 1-25 are pending and at issue in the present application. Applicants respectfully traverse the rejection of claim 9 as indefinite. Applicants have amended claim 9 to delete reference to any particular trademark names for chemical products. Instead, claim 9 now recites "isoparaffinic hydrocarbon solvents." This term is generally known to encompass solvents sold under the trade name ISOPAR. See, for example, column 3 lines 35-45 of Thill U.S. Patent No. 5,178,871, a copy of which is submitted herewith.

Applicants respectfully traverse the rejection of claims 1, 2, 8, 10, and 14-15 as anticipated by Kuderna et al. Applicants further traverse the rejection of claims 3-7, 9, and 11-25 as obvious over Kuderna et al.

Claim 1 as amended, and hence claims 2-14 dependent thereon, recite in part: "a substrate having a volatile air treating component, and a volatile dye..." Examples of an "air treating component" are specified at page 1 lines 12-13 of the present application, which discloses: "insecticides, insect repellents, fragrances and deodorizing compounds." Likewise, claim 15 as amended, and hence claims 16-25 dependent thereon, specify in part: "providing a substrate having a volatile air treating component; and coating the substrate with a volatile dye..."

There is no disclosure or suggestion in Kuderna et al. of a substrate having the combination of a volatile dye and a volatile air treating component as recited by the claims at issue.

Kuderna et al. discloses an indicator strip that is placed in proximity to a source of a volatile pesticide. Vapors from the pesticide travel from the source of pesticide to the indicator strip, and over time the vapors cause a color change of the indicator strip, by an acid base reaction, indicating depletion of the source of pesticide.

The indicator strip of Kuderna et al. does not include a volatile air treating component. Rather, the indicator strip receives volatilized vapors from a source of pesticide that is spaced from the strip. In addition, the indicator strip does not include a volatile dye. Rather, the indicator strip changes color based on a reaction with the vapors from the pesticide source. Therefore, it cannot be said that Kuderna et al. discloses a substrate having the combination of a volatile dye and a volatile air treating component as specified. In fact, there is no disclosure of anything volatilizing from the indicator strip.

The teaching in the present application of a substrate having both a volatile air treating component and a volatile dye provides significant advantages over the disclosed indicator strip of Kuderna et al. For example, substrates according to the present invention include both a volatile dye and a volatile air treating component, and therefore a user of the substrate need not concern himself with spacing an indicator strip in proximity to vapors from a pesticide source as disclosed in Kuderna et al. Kuderna et al. discloses at column 5 lines 60-65 that one must position the "indicator matrix" close to the pesticide formulation but the "matrix must not touch the surface of the formulation for erroneous results could be obtained because of direct transfer of pesticide from the surface of the formulation to the matrix." Also, Kuderna et al. discloses at column 3 lines 36-41 "positioning a mixture of an inorganic base and a color-change indicator for acid/base reactions in a position relative to the formulation where it contacts essentially at all times a representative portion of the pesticide vapors emitted from the formulation..." It is believed that determining the amount of effective spacing and/or the amount of indicating substance to use on the indicator strip/matrix may be somewhat cumbersome. For example, at column 5 line 65 through column 6 line 10 Kuderna et al. teaches:

> Usually, it will be found desirable to position the matrix from one millimeter to one centimeter from the surface of the formulation. Otherwise, the matrix can be located in any position from which it can be inspected readily. Because of the variables involved – the shape and size of the pesticide formulation, the conditions under which it will be used and the size and location of the indicator matrix are some of the more significant factors – generally, the amount of base used will have to be determined empirically, taking into account the various factors discussed herein. It is preferred that the amount of base to be used be confirmed experimentally before actual use.

The prior art must teach the recited combination of elements or steps to anticipate claimed subject matter, and because Kuderna et al. does not teach a substrate having a volatile dye and a volatile air treating component it follows that the claims at issue are not anticipated thereby. Further, the prior art must disclose at least a suggestion of an incentive for the claimed

combination of elements in order for a *prima facie* case of obviousness to be established. *See In re Sernaker*, 217, U.S.P.Q. 1 (Fed. Cir. 1983); *Ex Parte Clapp*, 227 U.S.P.Q. 972, 973 (Bd. Pat. App. 1985). Because the cited reference does not teach or suggest that it would have been desirable or even possible to provide a substrate having both a volatile air treating component and a volatile dye, it follows that the claims at issue are not obvious thereover.

Reconsideration and allowance of the foregoing claims are respectfully requested.

Respectfully submitted,

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December 23, 2003

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